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Attorney for Plaintiff, Evan Ratcliff
In conjunction with Legal Aid Center of
Southern Nevada Federal Pro Bono Program

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

EVAN RATCLIFF,

Case No.: 2:21-cv-01155-CDS-BNW

Plaintiff,

vs.

STIPULATION TO EXTEND TIME TO
COMPLETE DISCOVERY
(SECOND REQUEST)

CARLOS CALDARONE,

Defendant.

Pursuant to L.R. IA 6-1, the parties, by and through their undersigned counsel of record, hereby stipulate to extend the time for the discovery in this matter. This is the first request for such extension.

I.

CURRENT SCHEDULING ORDER DATES

This matter has not been set for trial.

A. CURRENT DISCOVERY DATES

- Close of Discovery: October 10, 2023
- Final Date to File Motions to Amend
Pleadings or Add Parties May 10, 2023
- Final Dates for Expert Disclosures:
Initial Disclosures August 8, 2023

1	Rebuttal Disclosures	September 8, 2023
2	• Final Date to File Dispositive Motions	November 6, 2023
3	• Pretrial Order:	December 5, 2023

4 **B. NEW PROPOSED DATES**

5	• Close of Discovery:	January 8, 2024
6	• Final Date to File Motions to Amend	
7	Pleadings or Add Parties	May 10, 2023

8	• Final Dates for Expert Disclosures:	
9	Initial Disclosures	November 6, 2023

10	Rebuttal Disclosures	December 7, 2023
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11	• Final Date to File Dispositive Motions	February 5, 2024
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12	• Pretrial Order	March 5, 2024
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13 **B. DISCOVERY COMPLETED TO DATE**

14 Defendant has served his initial disclosures of witnesses on March 21, 2023; the First
15 and Second Supplemental Disclosures were served on July 17, 2023. Plaintiff propounded
16 written discovery on Defendant on May 4, 2023. Defendant Responded to Plaintiff's Requests
17 for Admissions on May 23, 2023; Responded to Plaintiff's Requests for Production of
18 Documents on May 30, 2023; and Answered Plaintiff's Interrogatories on May 31, 2023.
19 Defendant propounded Requests for Admission and Interrogatories on Defendant on July 17,
20 2023. Defendant has allowed Plaintiff extra time for his Responses to Requests for Admission
21 and Answers to Interrogatories.

22 Plaintiff served his Initial Disclosures on July 28, 2023.

23 **C. DISCOVERY TO BE COMPLETED**

24 The parties are in the process of scheduling Defendant's deposition. The parties have
25 not yet served their Designations of Expert Witnesses, which may include medical/dental
26 experts. The parties will be deposing experts. The parties will be deposing remaining fact
27 witnesses.

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D. REASONS FOR REQUEST FOR EXTENSION

Over the past 45 days, the parties have been working towards settlement of this matter. Negotiations just recently broke down. During the settlement negotiations, per agreement amongst the parties, Plaintiff put off taking depositions of Defendant and defense witnesses and retaining an expert. Due to the failed settlement negotiations, Plaintiff is now in the process of retaining an expert and is scheduling depositions of the Defendant and witnesses, all primarily located in Indian Springs, Nevada.

In addition to the above, negotiations were prolonged due to scheduling difficulties of Plaintiff communicating with counsel. At certain times, Defense counsel has assisted in this process.

E. CURRENT TRIAL DATE

Trial in this matter has not been set.

II.**CONCLUSION**

Therefore, based upon the foregoing, the parties respectfully request that this Stipulation and Order to Extend Discovery Deadlines (Second Request) be granted and that the Court adopt the proposed dates mentioned above.

DATED this 19th day of September, 2023.

PYATT SILVESTRI

STATE OF NEVADA, OFFICE OF THE
ATTORNEY GENERAL

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/s/ Leo T. Hendges
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Attorney for Defendant

ATTESTATION OF CONCURRENCE IN FILING

I hereby attest and certify that on this 19th day of September, 2023, I received concurrence from Defendant's counsel, Leo T. Hendges, to file this document with his electronic signatures attached. I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated this 19th day of September, 2023.

/s/ James P.C. Silvestri
JAMES P.C. SILVESTRI, NSB #3603

ORDER

Upon Stipulation of the parties as outlined above, and good cause appearing therefor, IT IS SO ORDERED that discovery deadlines are extended as follows:

- Close of Discovery: **January 8, 2024**
- Final Dates for Expert Disclosures:
 - Initial Disclosures **November 6, 2023**
 - Rebuttal Disclosures **December 7, 2023**
- Final Date to File Dispositive Motions **February 5, 2024**
- Pretrial Order **March 5, 2024**

IT IS FURTHER ORDERED a separate amended scheduling order be issued.


UNITED STATES MAGISTRATE JUDGE

Submitted by:
PYATT SILVESTRI

/s/ James P. C. Silvestri
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